

Minutes for Used Motor Vehicle Dealers Division
March 17, 2004

The Used Car Division of the State Board of Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers met on March 17, 2004 at 237 Coliseum Drive, Macon, Georgia and held its regular meeting. Diana Waldrop, Chairperson, called the meeting to order at 10:10 AM.

A quorum was established with the following board members present being: Diana Waldrop, Chairperson, Jeff Wilkinson, Acting Cognizant Board Member, Doug Hooper with the Department of Motor Vehicle Safety, Phil Nowicki with the Governor's Office of Consumer Affairs, John Tansey, Board Member, and Dewell Sanford, Board Member.

Others present were: Steve Lindsey, Executive Director, Ajay Gohil, Board Attorney, Aracelis Caraballo, Paralegal and Kathy Bradley, Board Secretary.

Approval of Minutes: Mr. Tansey moved to approve the Minutes of the January 21, 2004 Meeting. Mr. Nowicki seconded the motion. Motion carried.

Approval of Agenda: Mr. Nowicki moved to adopt the Agenda for today's March 17, 2004 Meeting. Mr. Wilkinson seconded the motion. Motion carried.

Executive Session:

Mr. Tansey moved to enter into Executive Session to deliberate on applications, complaint matters, and to receive information on the Attorney General Report. Mr. Nowicki seconded the motion. Ms. Waldrop, Mr. Sanford, Mr. Wilkinson, and Mr. Hooper carried the motion unanimously.

Attorney General Report:

Ajay Gohil, Board Attorney, presented cases to the Board.

Applications:

Mr. Steve Lindsey, Executive Director, presented a list of all applications that had been reviewed and licenses issued since the last board meeting.

Complaints:

Jeff Wilkinson, Acting Cognizant Board Member, presented cases to the Board.

Investigative Reports:

Jackie Turner presented investigative reports to the Board.

Appointments:

License holders appeared to appeal their inspection fine.

Cheryl Price Meier, license holder for Right Price Used Cars, did not keep her scheduled appointment.

Requests to be rescheduled were: Tennyson Nkemka with Vikings Quality Cars LLC and John Richardson with Covington Auto Sales Inc.

Malone Bridges with GOM Unite Inc did not have an appointment with the Board; however, the Board did hear her appeal on inspection fine.

Open Session:

Diana Waldrop declared Open Session.

Investigative Reports:

Mr. Nowicki made a motion to close UMVD030146.
Mr. Sanford seconded the motion. Motion carried.

Mr. Nowicki made a motion to accept Voluntary C & D for Divine Dollar Inc.
Mr. Sanford seconded the motion. Motion carried.

Mr. Nowicki made a motion to accept the Voluntary C & D for Honda Guys / All Honda.
Mr. Sanford seconded the motion. Motion carried.

Mr. Nowicki made a motion to close UMVD030131 and advise consumer they may submit additional information. Mr. Sanford seconded the motion. Motion carried.

Mr. Nowicki made a motion to flag and close 3501010979 and UMVD040086.
Mr. Sanford seconded the motion. Motion carried.

Mr. Nowicki made a motion to flag UMVD040110 and place 2004-2006 renewal on hold. Mr. Sanford seconded the motion. Motion carried.

Mr. Nowicki made a motion to flag, close 3501020162 and send bond information to the consumer. Mr. Sanford seconded the motion. Motion carried.

Attorney General's Report:

Mr. Wilkinson made a motion to accept Consent Order for Colin Auto Sales.
Mr. Sanford seconded the motion. Motion carried.

Mr. Wilkinson made a motion to accept Consent Order for B & B Automotive.
Mr. Sanford seconded the motion. Motion carried.

Mr. Wilkinson made a motion to accept Consent Order for Car Deals Used Cars
Mr. Sanford seconded the motion. Motion carried.

Mr. Wilkinson made a motion to accept Consent Order for Seller Buyer Connect.
Mr. Sanford seconded the motion. Motion carried.

Applications:

Mr. Nowicki made a motion to approve "Daewoo" in business name.
Mr. Hooper seconded the motion.

Mr. Tansey made a motion to approve Juba Motors application by Consent Order with
90-day probationary period. Mr. Wilkinson seconded the motion. Motion carried.

Mr. Tansey made a motion to deny application for Auto Plus, made under alter ego.
Mr. Wilkinson seconded the motion. Motion carried.

After a review of investigative findings, Mr. Tansey made a motion to deny application
for Quality Auto Sales, made under alter ego.
Mr. Nowicki seconded the motion. Motion carried.

The following licenses were issued from January 21 to March 16, 2004.
Mr. Wilkinson made a motion to accept all licenses issued.
Mr. Hooper seconded the motion. Motion carried.

License #

Name of Business

UCAR034802	Midway Auctions Inc
UCAR034803	Cars R Us Inc
UCAR034804	Cars and Credit(Atluc, LLC, d/b/a)
UCAR034805	Pine Valley Motors, Inc
UCAR034806	West Georgia Auto Sales
UCAR034807	Distinctive Auto Brokers Inc
UCAR034808	Flamingo Auto Sales Inc
UCAR034809	Landrigg Auto Sales Inc
UCAR034810	Nu 2 U Autos

UCAR034811	Honda's By Ashley Inc
UCAR034812	Gable Auto Sales & Service Inc
UCAR034813	Jesup Auto Mart Inc
UCAR034814	Adesa Atlanta
UCAR034815	Car Pro Auto Sales LLC
UCAR034816	BNS Used Auto Car Sales
UCAR034817	Generic Auto Sales
UCAR034818	Carpont Enterprises Inc
UCAR034819	Global Auto Sales Group Inc
UCAR034820	SLC Enterprises Inc
UCAR034821	Highline Imports Of North Atlanta LLC
UCAR034822	Eltact Auto Sales
UCAR034823	A Bearly Used Auto Sales
UCAR034824	Georgia Auto Brokers
UCAR034825	Kight's Auto Sales
UCAR034826	Don's Auto Center
UCAR034827	K C Motorsports
UCAR034828	Autosmart Inc
UCAR034829	Hills Used Cars
UCAR034830	Keneshia's Used Cars
UCAR034831	Triple Z Inc dba Pars Car Sales
UCAR034832	Cartersville Auto Brokerage Inc
UCAR034834	Bubba's Downtown Motor Co LLC
UCAR034835	Nicholson Auto Auction & Sales Inc
UCAR034836	Car Buys
UCAR034837	Fresh Start Used Auto Sales
UCAR034838	Spires Auto Sales Inc
UCAR034839	Williams Retail Used Cars
UCAR034840	J & J Used Auto Sales
UCAR034841	Central Auto Sales Of Georgia
UCAR034842	C S Auto Sales
UCAR034843	Car Point
UCAR034844	Austin-Fields Auto Brokers Inc
UCAR034845	Buy-Rite Auto Sales Inc
UCAR034846	South Cobb Auto Sales Inc
UCAR034847	D & D Trucks, Inc.
UCAR034848	S-9 Auto Sales
UCAR034849	Redline Motorsports Inc
UCAR034850	Platinum Financial Credit Corp Used Cars Sales Division
UCAR034851	Ga Auto Expo Inc
UCAR034852	T & T Motors
UCAR034853	D&J Auto Sales
UCAR034854	The Auto Pawn Store, Inc.
UCAR034855	U-Save Auto Rental
UCAR034856	Roberson Liquidation Center
UCAR034857	Kaly Car Sales
UCAR034858	501 Motor Sports
UCAR034859	D'Felipe Auto Inc

UCAR034860	Signature Certified Auto Sales Inc
UCAR034861	Discount Automart Inc
UCAR034862	Cash & Ride Pawn LLC
UCAR034863	NorthPoint Motors
UCAR034864	Triple M Auto Finders
UCAR034865	Hinesville Truck Center
UCAR034866	Tymax Car Sales
UCAR034867	Performance Auto Inc.
UCAR034868	Hirna Auto Sale
UCAR034869	Unike Auto Sales, Inc
UCAR034870	Global Auto Brokers Inc.
UCAR034871	CUA Auto Finders LLC
UCAR034872	Second Chance Motors LLC
UCAR034873	Shepard Motor Company
UCAR034874	Waters Liquidation Center, LLC
UCAR034875	Braxton Dailey Pre-Owned Auto Sales
UCAR034876	Soum Automotive Dealership Inc
UCAR034877	Highway Motors Inc
UCAR034878	Mekalinks Global Inc.
UCAR034879	Bak Auto Repair & Sales
UCAR034880	A-1 Auto Sales Inc
UCAR034881	Rush Hour Auto Brokers Inc
UCAR034882	U-Drive
UCAR034883	Neal's Wheels Inc
UCAR034884	The Car Store Inc
UCAR034885	Autohaus, Inc.
UCAR034886	Jones Paint and Body Auto Sales
UCAR034887	Auto Sports of Atlanta
UCAR034888	All Credit Auto Sales Inc.
UCAR034889	Formula Imports
UCAR034890	Bill's Kar Mart Inc.
UCAR034891	Auto Imports of Vinings Inc
UCAR034892	Goodwill Industries of Middle Georgia
UCAR034893	On Time Auto Sales
UCAR034894	Auction Car Sales, LLC
UCAR034895	Lakewood Auto Sales Inc.
UCAR034896	Copart Auto Auctions/Copart Of Connecticut Inc
UCAR034897	Hwy 400 Auto Sales
UCAR034898	Chariot Auto Sales, Inc.
UCAR034899	D Used Cars
UCAR034900	Michael's Motors Inc
UCAR034901	D.S. Auto Sales Inc
UCAR034902	Statesboro Motor Company
UCAR034903	Premium Pre-Owned Car Sales LLC
UCAR034904	A&R Auto Sales Inc.
UCAR034905	Npursuit, Inc.
UCAR034906	Weekend Auto Broker
UCAR034907	J C Auto Brokers

UCAR034908	Ed's Auto Sales
UCAR034909	Detoks Auto Group Inc.
UCAR034910	City Auto Mart Inc
UCAR034911	Payless Car Sales
UCAR034912	North Fulton Auto Sales Inc
UCAR034913	A&D Auto Sales Inc
UCAR034914	Cervantes Auto Sales
UCAR034915	Southern Auto Sales & Rentals, Inc.
UCAR034916	Southern Auto Sales & Rentals, Inc.

Complaints:

Mr. Nowicki made a motion to accept the Voluntary C & D Order for Alberto Sulca and close case. Mr. Hooper seconded the motion. The motion carried.

Mr. Nowicki made a motion to accept the Voluntary C & D Order for Debra Heimler and Scott Heimler and close case. Mr. Hooper seconded the motion.

Mr. Nowicki made a motion to accept the Voluntary C & D Order for June Black . Mr. Hooper seconded the motion. The motion carried.

Mr. Nowicki made a motion to send the following complaints to Inspections:

UMVD040119, UMVD040152, UMVD040153, UMVD040154,
 UMVD040155, UMVD040156, UMVD040157, UMVD040158, UMVD040159,
 UMVD040160, UMVD040163, UMVD040166, UMVD040167, UMVD040168,
 UMVD040169, UMVD040170, UMVD040171, UMVD040172, UMVD040173,
 UMVD040174, UMVD040175, UMVD040176, UMVD040177, UMVD040178,
 UMVD040179, UMVD040180, UMVD040181, UMVD040182, UMVD040183,
 UMVD040184, UMVD040185, UMVD040186, UMVD040187, UMVD040188,
 UMVD040189, UMVD040190, UMVD040191, UMVD040192, UMVD040193,
 UMVD040194, UMVD040195, UMVD040196, UMVD040197, UMVD040198,
 UMVD040179, UMVD040180, UMVD040181, UMVD040182, UMVD040183,
 UMVD040184, UMVD040185, UMVD040186, UMVD040187, UMVD040188,
 UMVD040189, UMVD040190, UMVD040191, UMVD040192, UMVD040193,
 UMVD040194, UMVD040195, UMVD040196, UMVD040197, UMVD040198,
 UMVD040199, UMVD040200, UMVD040201, UMVD040202, UMVD040203,
 UMVD040204, UMVD040205, UMVD040026, UMVD040207, UMVD040208,
 UMVD040209, UMVD040210, UMVD040211, UMVD040212, UMVD040213,
 UMVD040214, UMVD040215, UMVD040216, UMVD040217, UMVD040218,
 UMVD040219, and UMVD040220.

Mr. Hooper seconded the motion. Motion carried.

Mr. Norwicki moved to close cases: UMVD040127, UMVD040080, UMVD040082,
 UMVD040160, UMVD040084, UMVD040160,
 Mr. Hooper seconded the motion. Motion carried.

Mr. Norwicki moved to send bond information to consumers and close cases: UMVD040077, UMVD040150, UMVD040083, UMVD040056, UMVD040057, UMVD040058, and UMVD040100.

Mr. Hooper seconded the motion. Motion carried.

Mr. Norwicki moved to flag and close the following cases: UMVD030300 UMVD040320, and UMVD040046.

Mr. Hooper seconded the motion. Motion carried.

Mr. Norwicki moved to flag, close, and send bond information to consumer on case UMVD040151.

Mr. Hooper seconded the motion. Motion carried.

Mr. Norwicki moved to re-inspect the following cases: UMVD040081, UMVD040101, UMVD040158,

Mr. Hooper seconded the motion. Motion carried.

Mr. Tansey moved to send case UMVD040085 to investigations for information of last 25 cars sold.

Mr. Hooper seconded the motion. Motion carried.

Mr. Norwicki moved to close case UMVD040155 and re-inspect.

Mr. Hooper seconded the motion. Motion carried.

Mr. Norwicki moved to table UMVD040118 for further discussion.

Mr. Sanford seconded the motion. Motion carried.

Mr. Wilkinson moved to send the following cases to the Attorney General's Office for Fine collection: UMVD040123, UMVD040161, UMVD040066, and UMVD040121.

Mr. Hooper seconded the motion. Motion carried.

Mr. Norwicki moved to send UMVD040162 to the Attorney General's Office for payment schedule.

Mr. Hooper seconded the motion. Motion carried.

Other Business:

Mr. Wilkinson made a motion to approve only a 2-year Used Motor Vehicle Dealer license fee, and discontinue the pro-rated fee.

Mr. Nowicki seconded the motion. Motion carried.

Mr. Wilkinson made a motion to approve a separate application form for a Change Of Designee.

Mr. Nowicki seconded the motion. Motion carried.

Mr. Hooper moved that Ms. Waldrop send a letter to the Insurance Commissioner asking whether or not Surety Group Inc is allowed to advertise/offer a used car dealer Bonding Program reducing premiums for GIADA members.

Mr. Tansey seconded the motion. Motion carried.

Ms. Waldrop shared updated information about HB585 (Surety Bond) with members of the Board. The proposed House Bill surety bond amounts were:

\$20,000 for dealers selling less than 10 vehicles a month

\$30,000 for dealers selling more than 10 vehicles a month, and

\$50,000 for dealers selling more than 25 vehicles a month.

Mr. Hooper shared with board members a DMVS Notice Of Public Hearing that proposes administrative rule changes for requirements for an established place of business for dealers of motor vehicles to include photographs of business and sign.

Mr. Tansey made a motion to send a letter to the Inspection Supervisor, requesting inspectors to ask dealers for proof of delivery on vehicles just arrived on lot that do not have buyer guides.

Mr. Nowicki seconded the motion. Motion carried.

Mr. Nowicki made a motion to reduce Inspection Citation for Jay's Lamin Auto Sales by the amount of the fine for failure to have a copy of bond and insurance.

Mr. Wilkinson seconded the motion. Motion carried.

Mr. Tansey made a motion to uphold the Inspection Citation for Right Price Used Cars.

Mr. Wilkinson seconded the motion. Motion carried.

Mr. Wilkinson made a motion to reduce Inspection Citation for Gom Unite Inc. by the amount of the fine for failure to submit address change, possession of open title, and failure to apply for title in retail purchaser's name within 30 days.

Mr. Sanford seconded the motion. Motion carried.

Mr. Tansey made a motion to reduce Inspection Citation for Tyners Auto Sales by the amount of the fine for failure to apply for title in retail purchaser's name within 30 days.

Mr. Sanford seconded the motion. Motion carried.

Mr. Tansey made a motion to waive the Inspection Citation for Dixie Auto Sales.

Mr. Sanford seconded the motion. Motion carried.

Mr. Tansey made a motion to accept payment for failure to post buyer guides and reduce the Inspection Citation for C & B Auto Sales by failure to maintain current bond.

Mr. Sanford seconded the motion. Motion carried.

Mr. Tansey made a motion to re-inspect for buyer guides, delivery paperwork, and bill of sale on Inspection Citation for Front Row Auto Sales.

Mr. Sanford seconded the motion. Motion carried.

Mr. Tansey made a motion to re-inspect for buyer guides, delivery paperwork, and bill of sale on Inspection Citation for Marks and Sons Used Cars.

Mr. Sanford seconded the motion. Motion carried.

Mr. Tansey made a motion to reduce Inspection Citation for Your Way Auto Sales Inc by the amount of three violations for failure to post Buyer Guides and failure to provide a copy of the bond, and send letter of concern.

Mr. Sanford seconded the motion. Motion carried.

Adjournment:

There being no further business, the meeting was adjourned at 2:05 PM.

Diana R. Waldrop
Chairman

Mollie L. Fleeman
Division Director
Professional Licensing Board

COUNTY OF BIBB

AFFIDAVIT SUPPORTING CLOSING OF PUBLIC MEETING

The Georgia Open Meetings Act, O.C.G.A 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specified exemptions relied upon. O.C.G. A. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meetings in question.

Comes now Diana Waldrop, the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the Georgia State Board of Registration of Used Motor Vehicle Dealers and Used Motor Vehicle Parts Dealers (Used Car Division).
2. I am over the age of 18 and in other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and subject to penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On March 17, 2004 this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of members present voted to close the meeting or a portion thereof of the following indicated reason(s). I hereby certify that that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.
4. The legal authority for closure of this meeting was: O.C.G.A. 43-1-2(k).
5. The subjects discussed and the underlying facts supporting the closing of this meeting are as follows:
Applications and other personal information submitted by the applicants; information, Favorable or unfavorable, submitted by a reference source concerning an applicant; and Deliberations of the Board with respect to an application, an examination, a complaint, an investigation, or a disciplinary proceeding.

FURTHER THE AFFIANT SAYETH NOT.

Diana R. Waldrop
PRESIDING OFFICER

Sworn to and subscribed before me this 17th
Day of March, 2004.

Kathy O. Bradley
Notary Public